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Robert  
**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Kousuke INOUE

Group Art Unit: 2861

Application No.: 09/455,457

Examiner: Hai Chi PHAM

Filed: December 6, 1999

Docket No.: 104895

For: SPLIT SCANNING OPTICAL APPARATUS

**REQUEST FOR RECONSIDERATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

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In reply to the May 19, 2003 Office Action, reconsideration of the rejections is respectfully requested in light of the following remarks.

Applicant gratefully acknowledges that the Office Action indicates that claim 4 contains allowable subject matter.

The Office Action rejects claims 1-3 under 35 U.S.C. §103(a) over Suzuki et al. (U.S. Patent No. 5,930,019) (Suzuki) in view of Yokota et al. (U.S. Patent No. 4,449,151) (Yokota) and claim 5 under 35 U.S.C. §103(a) over Suzuki in view of Yokota and further in view of Agulnek (U.S. Patent No. 4,092,632). Applicant respectfully traverses the rejections.

Specifically, the filing date of Japanese Patent Application No. 10-359677, from which Applicant claims priority, is December 17, 1998. A translation of the priority document is submitted herewith to perfect the claim for priority. The translation is accurate. Accordingly, Suzuki is removed as prior art under 35 U.S.C. §102(a) and §102(e) since the priority date of Applicant's invention antedates Suzuki's filing and publication dates.

Accordingly, all of the rejections, which rely on Suzuki, are rendered moot.

In view of the foregoing remarks, Applicant submits that this Application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-5 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

J. Adam Neff  
Registration No. 41,218

JAO:TMN/dap

Attachment:

Verified English Translation of Japanese Priority Document No. 10-359677

Date: August 19, 2003

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